

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAVIER RUIZ MARAVILLA,

Petitioner,

vs.

G. SWARTHOUT, Warden,

Respondent.

No. C 11-03385 EJD (PR)

ORDER GRANTING EXTENSION OF  
TIME TO FILE OPPOSITION TO  
MOTION TO DISMISS

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his state conviction. (See Docket No. 1.) The Court ordered Respondent to show cause why Petitioner's writ should not be granted. (See Docket No. 7.) Respondent requested an extension of time to file a motion to dismiss. (See Docket No. 8.) The Court granted Respondent's motion, and set June 4, 2012 as the due date for the motion to dismiss. (See Docket No. 9.) Respondent filed a motion to dismiss on May 1, 2012. (See Docket No. 10.) On August 27, 2012, Petitioner notified the Court that he had not received a responsive pleading from Respondent. (See Docket No. 12.) Petitioner also filed a notice of change of address. (See Docket No. 11.) On August 28, 2012, Respondent filed an amended declaration of service indicating that his motion to dismiss was served on Petitioner at his new address. (See Docket No. 13.)

1 In the interest of justice, the Court GRANTS Petitioner an extension of time in which  
2 to file an opposition to Respondent's motion to dismiss. Petitioner shall file a opposition **no**  
3 **later than September 27, 2012**, thirty (30) days after the motion to dismiss was served.  
4 Respondent shall file a reply **no more than fifteen (15) days thereafter**.

5  
6 DATED: 8/31/2012

  
EDWARD J. DAVILA  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JAVIER RUIZ MARAVILLA,

Plaintiff,

v.

G. SWARTHOUT et al,

Defendant.

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Case Number: CV11-03385 EJD

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 4, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Javier Ruiz Maravilla G-14768  
Deuel Vocational Institution  
P. O. Box 600  
Tracy, CA 95378-0600

Dated: September 4, 2012

Richard W. Wieking, Clerk  
/s/ By: Elizabeth Garcia, Deputy Clerk